

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TAELORE GREEN,

Plaintiff,

v.

JAMES SCALLY, et al.,

Defendants.

Case No. 2:23-cv-00244-JAD-MDC

ORDER

This action began with a pro se civil rights complaint filed under 42 U.S.C. § 1983 by a state prisoner. Plaintiff has applied to proceed *in forma pauperis*. (ECF No. 7). Based on the financial information provided, the Court finds that Plaintiff is unable to prepay the full filing fee in this matter.

The Court entered a screening order on September 1, 2023. (ECF No. 8). The Court entered subsequent orders imposing a 90-day stay and assigning the parties to mediation by a court-appointed mediator. (ECF Nos. 12, 15). Settlement was not reached at the mediation conference. (ECF Nos. 17, 18).

For the foregoing reasons, **IT IS ORDERED** that:

1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 7) is **GRANTED**. Plaintiff will not be required to pay an initial installment of the filing fee. But if this action is later dismissed, the full filing fee must still be paid under 28 U.S.C. § 1915(b)(2).

2. Plaintiff is permitted to maintain this action to conclusion without the necessity of prepayment of any additional fees or costs or the giving of security therefor.

3. Under 28 U.S.C. § 1915, as amended by the Prison Litigation Reform Act, the Nevada Department of Corrections will forward payments from the account of **TAELORE A. GREEN, #1209667** to the Clerk of the United States District Court, District of Nevada, 20% of the preceding month's deposits (in months that the account exceeds \$10) until the full \$350 filing fee has been paid for this action. The Clerk of the Court will

1 send a copy of this order to (1) the Finance Division of the Clerk's Office and (2) the
2 attention of **Chief of Inmate Services for the Nevada Department of Corrections** at
3 formapauperis@doc.nv.gov.

4 4. The Clerk of the Court will electronically **SERVE** copies of this order, the
5 screening order (ECF No. 8), and Plaintiff's complaint (ECF No. 13) on the Office of the
6 Attorney General of the State of Nevada by adding the Attorney General of the State of
7 Nevada to the docket sheet. This does not indicate acceptance of service.

8 5. Service must be perfected within 90 days from the date of this order
9 consistent with Federal Rule of Civil Procedure 4(m).

10 6. Subject to the findings of the screening order (ECF No. 8), within 21 days
11 of the date of entry of this order, the Attorney General's Office will file a notice advising
12 the Court and Plaintiff of: (a) the names of the defendants for whom it accepts service;
13 (b) the names of the defendants for whom it does not accept service, and (c) the names
14 of the defendants for whom it is filing the last-known-address information under seal. As
15 to any of the named defendants for whom the Attorney General's Office cannot accept
16 service, the Office shall file, under seal, but shall not serve the inmate Plaintiff the last
17 known address(es) of those defendant(s) for whom it has such information. If the last
18 known address of the defendant(s) is a post office box, the Attorney General's Office shall
19 attempt to obtain and provide the last known physical address(es).

20 7. If service cannot be accepted for any of the named defendant(s), Plaintiff
21 will file a motion identifying the unserved defendant(s), requesting issuance of a
22 summons, and specifying a full name and address for the defendant(s). For the
23 defendant(s) as to which the Attorney General has not provided last-known-address
24 information, Plaintiff shall provide the full name and address for the defendant(s).

25 8. If the Attorney General accepts service of process for any named
26 defendant(s), such defendant(s) shall file and serve an answer or other response to the
27 complaint (ECF No. 13) within 60 days from the date of this order.

10. This case is no longer stayed.

UNITED STATES MAGISTRATE JUDGE